

E-Filed 12/29/11

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

LIONEL JAMES,

No. C 10-3136 RS

Plaintiff/Petitioner,

ORDER

v.

MICHAEL J. ASTRUE,

Defendant/Respondent.

On December 28, 2011, petitioner Lionel James responded in writing to the Order to Show Cause (OSC) (Dkt. No. 23), indicating that he intends to pursue his case and is willing to appear on January 5, 2012 to demonstrate his interest in the case. Good cause appearing, the OSC and the hearing noticed for 1:30 p.m. on January 5, 2012 is hereby vacated.

However, as the OSC noted, James neglected to file a motion for summary judgment or remand by July 22, 2011, as required by the Court's standing procedural order for social security review cases (Dkt. No. 3). James is therefore instructed that he must file a motion for summary judgment or remand by January 28, 2012 (30 days from the date of this order). If he does not, this case may be dismissed with prejudice for failure to prosecute.

IT IS SO ORDERED.

Dated: 12/29/11



RICHARD SEEBORG
UNITED STATES DISTRICT JUDGE

No. C 10-3136 RS
ORDER